FOR MYSORE STATE

Development (1952) Department.

M.S. SERIES.

G.O. No 4667

Dated 3-11-52

[Despatch Abstract.]

Mines-Mining-Certificatex of approval-Madras)- Sri M. Gundu Rao-granted.

Government of Madras

Abstract.

SUB: MINES Mining-Certificate of approval-Sri M.Gundu Rao-Granted.

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Development Department

G.O.Ms.No.4667 Dated 3-11-1952,
Read the following:-

G.O.Ms.No.5081 Dev. dated 14-11-51.
From Sri M.Gundu Rao petition dated 28-10-52.

Order:

In supersession of the orders in G.O. Ms.5081 Development, dated 14-11-51, and under Rules 8 and 9 of the M.C.Rules 1949, the Government approve Sri M.Gundu Rao as a fit person to prospect for and mine all major minerals except natual gas and petroleum in the Madras State.

2. The following notification will be published in the Fort St. George Gazette.

In exercise of the powers conferred by rules in Chapter II of M.C.Rules1949 as subsequently amended, the Governor of Madras hereby grants a Certificate of Approval to Sri M.Gundu Rao, Mint Street, Madras.

3. This certificate will be valid for the whole of the Madras State and cover all minerals except petroleum and natural gas and shall be valid until 31st December 1952."

(By Order of the Governor)

J.M.Lobo Prabhu,
Secretary to Government.

To the Director of Industries and Commerce.
To the Superintendent Government Press for publication in the Fort St. George Gazette.
To the Collector of Bellary.
To the Collector of Madras.
To Sri M.Gundu Rao, 142, Mint Street, Madras.

/True Copy/

Typed by [redacted]

Returned 7.11.53.

Read by A. Viswanathan
30.11.53

Development Department (J)

NOTE FILE

To A.S.

Sri N.Gundu Rao applied for the grant of a certificate of approval for 1951. His application was rejected, as it was reported by the Collector of Bellary that the applicant was not solvent enough to conduct mining operations by employing an efficient prospecting agency. Please see Collector's report at 'B' on p. 1 C.F.(X). Now the applicant has submitted a petition to Government for revising its previous orders.

In his petition on pp. 1-3 c.f. Sri M.Gundu Rao has represented:-

(1) that he commands extensive financial credits and owns immovable properties to the tune of Rs.35,00 in Bellary district.

(2) that he has considerable experience in business and has transacted business worth Rs.1,50,000 during 1950-51.

The Collectors of Bellary and Madras have been consulted on the above representations of the petitioner. Their reports are on pp. 9-11 c.f. The remarks of the D.I.&.C. in the matter are on p. 19 c.f.

2. With reference to the petitioner's statement that he has property worth Rs. 35,000/- in Bellary district, the Collector of Bellary has reported that the property worth Rs. 35,000/- is registered in the name of his father and that the registered holder have five sons of whom the applicant is the eldest son. As regards the petitioner's statement regarding his business turn over, the Collector of Madras has reported that the appliant has not produced the documents to prove that he had a business turn-over of Rs.1,50,000 during the year 1950-51, but that a persual of the Bank account from April 1950 to March 1951 shows that he had a turn over of nearly Rs.49,000/-

3. The Collector of Madras has also reported that the applicant Sri Gundu Rao is connected with several business organisations and that he is a man of status with business integrity and experience. He has also reported that the applicant possesses experience in mining.

4. The Collector of Madras and Bellary has not made any specific recommendation on the petition. The D.I.&.C. has however recommended the rejection of the application, as it was reported that the property worth Rs.35,000 referred to by the petitioner is in the name of his father. The Collector of Madras has now reported that the applicant has experience in mining and that he is connected with several business organisation and that he is a man of status with business integrity. In view of this testimony of the Collector of Madras, the applicant would seem to be eligible to be granted a certificate. In the circumstances it is for orders whether the orders in G.O.Ms.No.5081 Dev. dated 14-11-1951 will be revised and the applicant granted certificate of approval. If the applicant is granted a certificate of approval now, it will take effect from the date of the grant and will be valid upto the end of December 1953.

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5. According to rule 60 of the M.C.Rules, any order passed by the State Government under those rules shall be final subject only to an order the Central Government under rule 57. In the present case it will be seen that in the lights of the present reports of the Collectors, the orders in G.O.No.5081 Dev. d/14-11-51 were passed on incomplete information. It therefore seems that this Government themselves can now revise the orders in G.O.No.5081 Dev. d/14-11-51. Furth this order relates the rejection of the application for the yea 1951 and the State Government will not it seems be prevented by the rules quoted above, to grant a certificate for the next year on fresh facts brought to their notice.

This seems correct.
SA. M
21.11.51

6. In case it is decided to grant a certificate, the applicant may perhaps be asked to submit a fresh applicatio direct to Government after remitting Rs.100/- being the application fee.

Legal may be requested to advise with reference to para 5 above.

~~Ashoka~~

A above

-2-3

Rule 7(b) of the Mineral Concession rules 1949 does not specifing say anything about the financial standing of the applicant though this may be implied in it. The rules streeses on technical qualification and business experience of the applicant. These are testified by the Collr. of Madras. There seems therefore to be no objection to the grant of certificate of approval.

K.V.K. 21-10-52 S.A. 21-10-52 J.M.L.P. 21-10-52.

Legal (Opinions)Department.

This Department agrees with the view of development at N on page 3 ante that it will be open to this Government to grant a certificate of approval to Sri M.Gundu Rao now. Although the petitioner's prayer is for a revision of the orders issued in G.O. Ms.No.5081, Development, dated 14-11-1951, yet, in substance, it should be considered only as an application for a certificate approval for the current year, the year 1951 having already elapsed. There is no provision in the rules for a reveiw or revision of the Government's order.

xxx 23-10-52 xxx 23-10-52 J.S.

Development J.

To A.S.

Notes from page 2 above may be perused.

The points for orders are:-

(1) Whether the previous orders regarding the applicant competancy to hold a certificate will be reconsidered and the applicant granted a certificate of approval now, and if so.

(2) whether the applicant may be asked to remit Rs.100/- towards appliation fee and submit an application [illegible] to Govt.

It seems (1) & (2) may be agreed to.

S.A. 27-10-52 J.M.Lobo prabhu, 27-10-52

Yes. Agree to (1) & (2) above.

U.Krishna Rao,
29-10-52.
Minister for Industries and Labour.

Orders in circulation above.

The applicant Sri Gundu Rao has now submitted an application together with a chalan of Rs.100/- remitted towards the application fee for the grant of the certificate of approval. In view of the orders above the applicant may be granted a certificate of Approval, now. Subject to orders a draft order is submitted for approval.

K.V.K.
27-10-52

S.A.
1-11-52
D.S.